



6A1-3734

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Gisela MEIER, Heinrich PAJUNK and Horst PAJUNK

Appln. No.: 09/438,759

Filed: November 11, 1999

For: CONTINUOUSLY CONDUCTIVE UNIPOLAR CANNULA FOR ANESTHESIA

Attorney Docket No.: 2368.098

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INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §1.97 and §1.98

Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

Sir:

In accordance with the duty of disclosure under 37 C.F.R. §1.56, Applicants hereby notify the U.S. Patent and Trademark Office of the following documents for the above-identified application. Copies of the documents set forth below and listed on the attached Form PTO-1449 are provided herewith.

1. DE 44 20 232 A1
2. EP 0 303 824 A2
3. DE 3020926 C2
4. U.S. 4,842,585 (corresponds to DE 36 43 235 C)

Applicants are not aware of any English language documents corresponding to references (1) or (3). An explanation of the relevancy of the references follows:

Document 1

German Patent DE 44 20 232 A1 (Waltereit) entitled "Vorrichtung zur Prüfung der Eindringtiefe einer Kanüle oder Sonde in den Körper eines Patienten" published December 14, 1995.

In a Search Report in a corresponding European patent application, Document 1 was cited as a "document defining the general state of the art which is not considered to be of particular relevance" ("A") type reference.

Document 2

European Patent EP 0 303 824 A2 (Espejo Martinez, et al.) entitled "A Device for Locating the Epidural Space" published February 22, 1989.

This document is in the English language and the relevance can be seen from the figures.

Document 3

German Patent DE 3020926 C2 (Pajunk) entitled "Stahlkanüle Für die Spinal- und Leitungsnästhesie sowie für die Lumbalpunktion" published December 10, 1981.

This reference teaches a cannula for conductive anesthesia as well as for puncturing the luminal wall. The invention, as

can be seen from the figures, concerns the provision of an opening in the side-wall of the needle just proximally to the tip of the needle and extending almost to the center axis of the needle.

Document 4

U.S. Patent 4,842,585 (Witt) entitled "Steel Caannula for Spinal and Peridural Anaesthesia" issued June 27, 1989.

DE 36 43 235 A2, the German equivalent of Documents 4, was cited in an Office Action in pending German Application No. 198 28 794.

The present Information Disclosure Statement is being filed (1) no later than three months from the application's filing date, or (2) before the mailing date of the first Office Action on the merits and, therefore, no Certification Under 37 C.F.R. §1.97(e) or fee under 37 C.F.R. §1.17(p) is required.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

U.S. PATENT APPLICATION

SERIAL NO.: 09/438,759

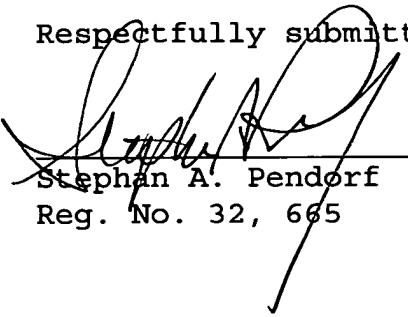
INFORMATION DISCLOSURE STATEMENT



ATTY DOCK: 2368.098

Applicant respectfully requests that the listed documents be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO-1449 be returned in accordance with MPEP §609.

Respectfully submitted,

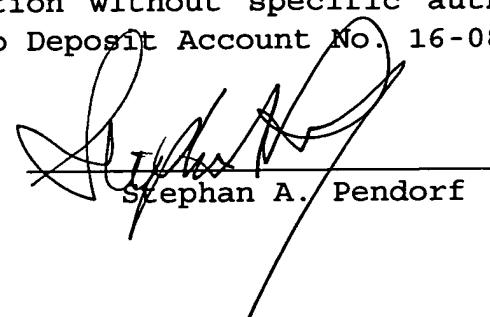

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Dated: February 14, 2000

CERTIFICATE OF MAILING AND AUTHORIZATION TO CHARGE

I hereby certify that a copy of the foregoing INFORMATION DISCLOSURE STATEMENT, Form PTO-1449 and four references for U.S. Application No. 09/438,759 filed November 11, 1999, was deposited in first class U.S. mail, postage prepaid, addressed: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on this 14th day of February, 2000.

The Commissioner is hereby authorized to charge any additional fees which may be required at any time during the prosecution of this application without specific authorization, or credit any overpayment, to Deposit Account No. 16-0877.


Stephan A. Pendorf

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